





Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Lee Steven R. Ludwig John M. Covert Linda E. Alcorn Robert C. Millonig Donald J. Featherston Timothy J. Shea, Jr Michael V. Messinger Judith U. Kim Patrick E. Garrett Jeffrey T. Helvey Heidi L. Kraus Eldora L. Ellison Thomas C. Fiala Albert L. Ferro Donald R. Banowit Peter A. Jackman Jeffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Brian J. Del Buono Virgil Lee Beaston Theodore A. Wood Elizabeth J. Haanes Joseph S. Ostroff Frank R. Cottingham Rae Lynn P. Guest Daniel A. Klein

August 12, 2005

Jason D. Eisenberg
Michael D. Specht
Andrea J. Kamage
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis
Ann E. Summerfield
Aric W. Ledford
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gaby L. Longsworth
Lorl A. Gordon
Nicole D. Dretar
Ted J. Ebersole
Laura A. Vogel
Michael J. Mancuso

Aaron L. Schwartz

Shannon A. Carroll* Wesley W. Jones* Matthew E. Kelley* Michelle K. Holoubek* Marsha A. Rose*

Registered Patent Agents Karen R. Markowito
Nancy J. Leith
Matthew J. Dowd
Katina Yujian Pei Quach
Bryan L. Skelton
Robert A. Schwartzman
Teresa A. Colella
Victoria S. Rutherford
Simon J. Elliott
Julie A. Heider
Mita Mukherjee

Scott M. Woodhouse Christopher J. Walsh Liliana Di Nola-Baron Peter A. Socarras Jeffrey Mills

<u>Of Counsel</u> Kenneth C. Bass ill Marvin C. Guthrie

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WRITER'S DIRECT NUMBER: (202) 772-8610 INTERNET ADDRESS: SELLIOTT@SKGF.COM

Art Unit 1638

Attn: Mail Stop Amendment

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Re:

U.S. Utility Patent Application

Appl. No. 10/670,454; Filed: September 26, 2003

For: **Gibberellin 2-Oxidase** Inventors: Thomas *et al.*

Our Ref:

0623.0970001/MAC/SJE

Sir:

Transmitted herewith for appropriate action are the following documents:

- 1. Reply to Restriction Requirement; and
- 2. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Simon J. Elliott

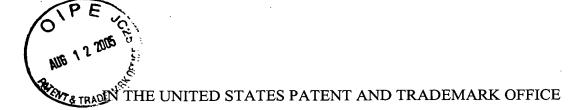
Agent for Applicants Registration No. 54,083

Registration No.

MAC/SJE/lam Enclosures

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Sterne, Kessler, Goldstein & Fox PLLC. : 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com



In re application of:

Thomas et al.

Appl. No.: 10/670,454

Filed: September 26, 2003

For: Gibberellin 2-Oxidase

Confirmation No.: 5510

Art Unit: 1638

Examiner: Baum, Stuart F.

Atty. Docket: 0623.0970001/LBB/SJE

Reply to Restriction Requirement

Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated July 13, 2005, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group I, represented by claims 25-27. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

This election is made with traverse. As discussed with Examiner Gary Jones on August 11, 2004, Applicants respectfully traverse the restriction requirement, request rejoinder of the four identified restriction groups, and request a telephone interview with the Examiner to discuss the matter. Applicants note in brief that: each of the four restriction groups are classified in the same class and subclass; that they are all joined by at least one generic claim; that the Examiner did not similarly restrict the claims on the basis of SEQ ID NOs in the parent Application No. 09/719,108; and that it would not be an undue burden to examine the claims together. Accordingly, reconsideration and withdrawal of the Restriction Requirement is respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Simon J. Elliott Agent for Applicants

Registration No. 54,083

Date: August 12, 2005

1100 New York Avenue, N.W. Washington, D.C. 20005-3934 (202) 371-2600

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